



PATENT

Atty Docket ST98033

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Emmanuel CONSEILLER *et al.*

Appl. No.: 09/829,936

Filed: April 11, 2001

For: POLYPEPTIDE (MBP1) CAPABLE  
OF INTERACTING WITH ONCOGENIC  
MUTANTS OF THE P53 PROTEIN

Group Art Unit: 1646

Examiner: To be assigned

#6

**BOX MISSING PARTS**Commissioner for Patents  
Washington, D.C. 200231

Sir:

**RESPONSE TO NOTICE OF MISSING PARTS**

In response to the Notice of Incomplete Reply (Nonprovisional) mailed August 24, 2001 (copy enclosed) applicants are submitting herewith a paper copy and a copy of the Sequence Listing in computer readable form along with a statement that the content of the sequence listing information recorded in computer readable form is identical to the paper copy and includes no new matter. The surcharge for late filing of the executed declaration was submitted on August 1, 2001.

**PETITION FOR EXTENSION OF TIME**

Applicants respectfully request a two-month extension of time for responding to the Notice to File Missing Parts of Nonprovisional Application issued on June 1, 2001. Accordingly, please extend the period within which to file a response to the Notice to File Missing Parts of Nonprovisional Application until and including October 1, 2001. Applicants submit herewith a payment form for the amount of \$400.00 for the extension of time fee as set forth under 37 C.F.R. 1.117(a)(1).

In the event any variance between the amount enclosed with this response and the fees determined by the U.S. Patent and Trademark Office please charge or credit any such variance to the undersigned's Deposit Account No. 50-1129. If necessary, the Commissioner is authorized to charge any fee to Deposit Account No. 50-1129.



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/829,936	04/11/2001	Emmanuel Conseiller	ST98033

CONFIRMATION NO. 7710

## FORMALITIES LETTER



\*OC000000006468287\*

David J. Kulik, Esq.  
WILEY REIN & FIELDING LLP  
1776 K Street, N.W.  
Washington, DC 20006

Date Mailed: 08/24/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, doesnot include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

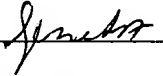
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspt .g v or patin3help@uspto.g v

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- A copy of this notice MUST be returned with the reply.

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**400.00****Complete if Known**

Application Number	09/829,936
Filing Date	April 11, 2001
First Named Inventor	CONSEILLER et al.
Examiner Name	To Be Assigned
Group Art Unit	1646
Attorney Docket No.	ST98033

**METHOD OF PAYMENT**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	50-1129
Deposit Account Name	David Kulik

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☐ Check ☒ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

	Large Entity	Small Entity	Fee Description	Fee Paid
	Code (\$)	Code (\$)		
101	740	201 370	Utility filing fee	
106	330	206 165	Design filing fee	
107	510	207 255	Plant filing fee	
108	740	208 370	Reissue filing fee	
114	160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES**

	Total Claims	Extra Claims	Fee from below	Fee Paid
		-20** =	X	
		-3** =	X	

	Large Entity	Small Entity	Fee Description
	Code (\$)	Code (\$)	
103	18	203 9	Claims in excess of 20
102	84	202 42	Independent claims in excess of 3
104	280	204 140	Multiple dependent claim, if not paid
109	84	209 42	** Reissue independent claims over original patent
110	18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

	Large Entity	Small Entity	Fee Description	Fee Paid
	Code (\$)	Code (\$)		
105	130	205 65	Surcharge - late filing fee or oath	
127	50	227 25	Surcharge - late provisional filing fee or cover sheet	
139	130	139 130	Non-English specification	
147	2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112 920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115	110	215 55	Extension for reply within first month	
116	400	216 200	Extension for reply within second month	400.00
117	920	217 460	Extension for reply within third month	
118	1,440	218 720	Extension for reply within fourth month	
128	1,960	228 980	Extension for reply within fifth month	
119	320	219 160	Notice of Appeal	
120	320	220 160	Filing a brief in support of an appeal	
121	280	221 140	Request for oral hearing	
138	1,510	138 1,510	Petition to institute a public use proceeding	
140	110	240 55	Petition to revive - unavoidable	
141	1,280	241 640	Petition to revive - unintentional	
142	1,280	242 640	Utility issue fee (or reissue)	
143	460	243 230	Design issue fee	
144	620	244 310	Plant issue fee	
122	130	122 130	Petitions to the Commissioner	
123	50	123 50	Processing fee under 37 CFR 1.17(q)	
126	180	126 180	Submission of Information Disclosure Stmt	
581	40	581 40	Recording each patent assignment per property (times number of properties)	
146	740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370	Request for Continued Examination (RCE)	
169	900	169 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**400.00****SUBMITTED BY**

Name (Print/Type)	David J. Kulik	Registration No. (Attorney/Agent)	36,576	Telephone	202/719-7000
Signature		Date	10/1/01		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.